similar Councils to be held in all parts of the country not under martial law. In spite of a boycott by the nationalists, the Syrian elections were held, but the Representative Councils which resulted from them proved ineffective.

The next step was to form a Government which should be more acceptable to public opinion than that which had been presided over by Subhi Barakat since the creation of the Syrian State, and which resigned in December, 1925. The Presidency of the State was offered to Shaikh Taj ad-Din al-Hasani, the son of one of the most respected religious leaders in Damascus. He laid down certain conditions of his taking office. The High Commissioner could not, however, accept them, and after some delay appointed as provisional President Damad Ahmad Nami, a Circassian by origin. He formed a Ministry which for a short time included members of the 'People's Party'; its programme envisaged the summoning of a Constituent Assembly, the conclusion of a Franco-Syrian treaty and the attainment of Syrian unity by negotiation with the other States included in the French Mandate.

II

In June, 1926, M. de Jouvenel declared to the Permanent Mandates Commission that the French Government intended to negotiate a Franco-Syrian treaty similar to the Anglo-Iraqi Treaty of 1922. Next month he resigned and was succeeded by M. Ponsot. The new High Commissioner took the first step towards the establishment of the self-government which had been foreseen by his predecessor, by preparing for the elaboration of an Organic Law. A beginning had indeed already been made with this: M. de Jouvenel had consulted various notables on the form which the future political organization of the country should take.

In July, 1927, M. Ponsot made a declaration in which he explicitly identified himself with the policy approved by the French Government and the League of Nations and defined by his predecessors. Regard for the wishes of the people concerned had, he maintained, been the idea which had throughout inspired French policy. In accordance with this idea, the framing of the definitive constitution of the countries under French Mandate was to be the work of those peoples. The Mandatory Power would exert itself to bring about a general agreement and to arbitrate in any differences which

11: Hourani S-4 (no date) 1946 MD1 Syria MD1

might arise ; in default of an agreement, it would take appropriate measures to maintain order and to guarantee peace. The Mandatory Power desired to favour and hasten the political evolution of the States under its protection, and to Interests', the High Commissioner would continue to administer them with the active and ever-increasing assistance of the representatives of the States.[1]

A few months later, in February, 1928, M. Ponsot judged that the time had come for the election of a Constituent Assembly. In that month the state of siege declared at the beginning of the revolt was finally raised, the censorship suppressed, the special tribunals established during the revolt abolished, and a general amnesty issued. At the same time Damad Ahmad Nami's Ministry was replaced by a new provisional Government of 'moderate' politicians presided over by Shaikh Taj ad-Din al-Hasani, with the task of preparing the way for the creation of regular institutions to which it could hand over its functions.

The elections were held in April of the same year. In the towns, most of those elected belonged to the more uncompromising section of the nationalists, the opponents of Shaikh Taj ad-Din's Ministry ; in the countryside, however, they were mainly moderates. Of the seventy members of the Assembly, over two-thirds supported the Government, but owing to their lack of cohesion and the decision of the Government not to intervene in the proceedings, it was the so-called 'extreme' nationalists who dominated the discussions. They were the more powerful in that they had recovered from the confusion caused by the collapse of the revolt, and had succeeded once more in organizing themselves in a party, the 'National Bloc'. In so far as it had a founder he was Ibrahim Hananu, an Aleppine and a man respected even by his opponents. The Bloc was not a unitary party so much as a working alliance of individuals and groups. It included leading members of important landowning families, like Jamil Mardam Bey from Damascus, Saadullah al-Jabiri from Aleppo, and Hashim al-Atasi, the President of the Bloc. It included also individuals important rather for character and intellect than for representing large sections of opinion, like Faris al-Khuri, a Protestant lawyer, law-teacher and financier. It

[1] For text, see *Orients Moderne*, September, 1927, pp. 409–11.

11: Hourani 8-4 (no date) 1946 MD1 Syria MD1

642 enable the Mandatory Power to carry out its obligations
648 under the Covenant. Thus Article 2 was modified, and stated merely that 'Syria forms an indivisible political unity'; and an additional article (116) was added to the effect that 'the provisions of the present Constitution are not, and cannot be, in opposition to the obligations undertaken by France in regard to Syria, particularly obligations towards the League of [illegible] France in regard to Syria remain in force, any provisions of the present Constitution which are of a nature to affect those obligations will be applicable only under conditions to be determined by agreement between the French and Syrian Governments'.

Simultaneously a number of other decrees were promulgated. In addition to the Organic Laws for the Governments of Latakia and Jebel Druze, already mentioned, they included laws for the Sanjaq of Alexandretta, and for a Conference of Common Interests composed of Delegations from the States and Governments, and charged with the management of their common financial and economic affairs.[1]

12

646 The elections for the Chamber of Deputies took place in January, 1932, and the Chamber met in June. More than three-quarters of its members were 'moderates'. Only a quarter were 'extreme' nationalists demanding full and immediate independence; but as had happened in the Constituent Assembly, the minority soon showed itself to be the dominant element. Its hopes were raised and its case strengthened by the recent conclusion of an Anglo-Iraqi Treaty, the termination of the Mandate and the admission of Iraq into the League of Nations (1930-1932).

643 The first task of the Chamber was to choose the President
● 645 of the Republic. It elected Muhammad Ali al-Abid, son of
646 Izzat Pasha al-Abid who had been secretary to the Sultan Abdul-Hamid II. He entrusted the construction of a Cabinet to a prominent moderate, Haqqi al-Azm, who formed a Ministry of which half the members were 'moderates' and half 'extreme' nationalists. Negotiations were opened between the Ministry and the High Commissioner for the conclusion of a Franco-Syrian Treaty.

[1] For texts of these documents, see Dareste, *Les Constitutions Modernes*, V, pp. 676–98.

before 1914; and was it not ridiculous, as well as expensive, for so small a region to have so grandiose and complex a constitution?

As a further consequence, the movement of discontent with especially among the young, began to look for an alternative. At one extreme the 'Phalanges Libanaises', the party of Lebanese nationalism, received much support. So too did the 'Syrian National Party', with its doctrine of the total separation of Church and State; while the Arab Nationalists pointed to the failure of the constitutional system as a proof, if one were needed, that an independent Lebanon was too divided, artificial and unstable to exist by itself.

4

In Syria, the first steps towards the execution of the Treaty were taken immediately after the return of the Syrian delegation from Paris. Arrangements were made for the holding of Parliamentary elections; the Chamber was to consist of 86 members, 16 of them representing the religious minorities and 7 the Beduin tribes. The elections, which took place in November, 1936, resulted in an overwhelming majority for the candidates of the National Bloc; and when the Chamber met, on December 21st, its first important act was to choose Faris al-Khuri as its President, and its second to accept the resignation of Muhammad Ali al-Abid from the Presidency of the Republic and to elect Hashim al-Atasi in his place. The Ayyubi Ministry having resigned, the President entrusted the formation of a new one to Jamil Mardam Bey. All the members of his Ministry were drawn from the National Bloc.

This Ministry found no difficulty in securing the confidence of the Chamber, which unanimously approved the Treaty in December, 1936. It was formally signed by the High Commissioner and the members of the Ministry on December 22nd.

In the same month, after consultations with notables of the districts of Jebel Druze and Latakia, their annexation to the Syrian State was proclaimed. This proclamation was accompanied by special Statutes granting a measure of administrative autonomy to the two regions. Despite protests from separatist groups against the concept of a unitary Syria, the régime envisaged in these Statutes was inaugurated by the appointment in January, 1937, of two prominent members of the

among many, and thus struck at the root of the traditional Moslem conception of the State. Its application was temporarily suspended, pending the issue of a revised law by the Syrian Government. The Government having failed to pass such a law, in November, 1938, the High Commissioner issued a decree modifying and completing the previous one. The new decree, officially published in December, met with no greater favour from the religious leaders.

[illegible] the decree grew in intensity. Pressure was put upon the Government to suspend it. This the Government was the more willing to do because it resented the issue of the decree on the High Commissioner's own authority, over the head of the legislative organs of the Syrian State. In February it issued an order to the Courts not to apply the decree. At the same time it sent a memorandum to the High Commissioner, declaring its intention to apply the order of the day passed by the Chamber on December 31st, 1938, and to take over the functions previously exercised by the Mandatory authorities; accusing the French of encouraging the separatist movements; and asserting that since all legislative power belonged to the Chamber, decrees issued by the High Commissioner could have no validity in Syria.

On February 18th, the High Commissioner demanded that the Ministry should withdraw its order to the Courts and its memorandum, on the ground that decrees issued by him could not be suspended by any authority other than his own. The Ministry refused and resigned. A number of important officials resigned with it. The National Bloc continued formally in existence, but the resignation of the Mardam Ministry made its temporary decline inevitable. In April a group of prominent members left it.

13

Jamil Mardam Bey was succeeded as Prime Minister by Lutfi al-Haffar, his former colleague; with one exception, all the members of the new Ministry were members of the Bloc; and their policy, like that of their predecessors, was to maintain the Treaty of 1936, and to conclude an agreement with France on the basis of it. This, together with the continued deadlock over the communities question and further troubles among the minorities, did not allow the Ministry

11: Hourani 5-4 (no date) 1946 MD1 Syria M01

to last long. It resigned on March 16th, in circumstances somewhat similar to those in which the Mardam Ministry had fallen. Its resignation was accompanied by further disturbances.

The unrest, and the difficulty of finding anybody willing and able to form a new Ministry, impelled the Mandatory authorities to take over, by decree of the High Commissioner, the powers necessary for the maintenance of public order. The disturbances were quelled by the use of French troops; several prominent leaders were arrested, including Nabih al-Azmah. New and severe restrictions were also placed upon the press. But at the same time a concession to popular feeling was made by the decision of the High Commissioner, at the beginning of April, to suspend the application of the Communities Statute to the Sunni Moslem community.

A few days later, on April 6th, the Ministerial crisis was ended by the formation of a non-political Ministry, headed by Nasuhi al-Bukhari. Although its members did not belong to the Bloc, this Ministry was as firmly attached as its predecessors had been to the Treaty of 1936; and it was generally felt that it offered the French Government its last chance of concluding an agreement that could satisfy the legitimate aspirations of the Syrians. If it failed to take this opportunity, there would be no alternative for the nationalists except to resort once more to the methods of the first months of 1936.

Shortly after the formation of the Bukhari Ministry, M. Puaux left Syria for France. It was known that he had gone in order to discuss with the French Government the policy to be adopted in Syria. Speculation ranged over the alternatives among which a choice would have to be made: the negotiation of a new Treaty, the return to direct rule by the French, the establishment of a monarchy. This last possibility especially was the subject of much excited controversy and the names of various possible candidates were put forward: the Amir Abdullah, the Amir Abdul Munim, son of the ex-Khedive of Egypt, a Sa'udi or a Tunisian prince. Even the possibility of a personal union of Syria and Iraq under King Faisal II was entertained.

On May 10th, the High Commissioner returned from France and three days later delivered a radio speech, in which he declared that the French Government was determined to

648 reach an agreement with Syria on the basis of the 1936 Treaty with the amendments of November, 1938, but that due satisfaction must be given to the legitimate aspirations of the minorities. Moreover, the international situation necessitated new military arrangements between Syria and France. He ended with an appeal for the maintenance of law and order.

The nationalists saw in this statement a determination to strengthen France's hold over Syria in preparation for the imminent world war. The last hope of the ratification of the Treaty was now extinguished.

648 On May 15th the Bukhari Ministry resigned. On May 16th the Syrian Chamber voted unanimously an order of the day, affirming Syria's sympathy for French democracy in the hour of its peril, but at the same time emphasizing its attachment to the unamended Treaty of 1936 as the only firm basis for Franco-Syrian co-operation.

This time there was no way out of the deadlock. All attempts to form a new Ministry failed. Finally, the President of the Republic resigned (July 7th). A few days later M. Puaux took the extreme step of dissolving the Chamber, suspending the Constitution, and appointing a non-political Council of Directors to govern by decree-laws under his own direction (July 10th). The Council was composed of permanent officials, with Bahij al-Khatib as its President.

14

631 At the same time the High Commissioner issued decrees
648 re-establishing in Jebel Druze and the Territory of Latakia separate administrations similar to those which had existed until 1936, and providing for the special administration of the Jazirah.

The decree for Latakia stated that the Organic Law promulgated in 1936 was to be replaced by a new one, to come into force immediately. The new law provided for the government of the region by a Governor, assisted by a council of heads of departments and by the Council of the Territory. He was to be appointed by the head of the Syrian State on the nomination of the Council of the Territory, was to hold office for five years and might be re-appointed. His powers were executive, financial and within limits legislative. The Council was to consist of at least seventeen elected members, to hold two ordinary sessions a year and to discuss financial and

At the beginning of 1941 the unrest which had been for so long latent came to a head. Strikes and demonstrations began in the Syrian towns in February, in protest against the dearth of essential foodstuffs and the failure of the authorities to stop profiteering. They very soon turned into political disturbances, directed by a number of nationalist committees and leaders, and above all by Shukri al-Quwatli, who in March issued a manifesto setting forth their objectives. He condemned the existing Government of Bahij al-Khatib as a group of men whose sentiments were not those of the population; he declared that the legal basis of French rule no longer existed since the League of Nations had ceased to function; and he therefore demanded the immediate formation of a national Government. Shortly afterwards, in consequence of the continuation of the disturbances, which indeed spread for a few days from Syria to the towns of the Lebanese coast, the Government of Bahij al-Khatib resigned. There was a temporary cessation of unrest while the High Commissioner negotiated with Shukrī al-Quwatli and others for the formation of a more representative Government; but disturbances broke out once more after the failure of the negotiations.

The recrudescence of the troubles appears to have convinced General Dentz of the necessity of making further concessions. At the beginning of April he broadcast a statement to the Syrian people, setting forth the conclusions to which his conversations with Syrian leaders had led him. First, the independence of Syria remained the aim towards which the Syrians were striving; France was in agreement with this, but the present international situation made it impossible to contemplate a definitive settlement of the problem of the form of government in Syria. Secondly, Syrian public opinion was demanding the establishment of a Government endowed with wider powers. Thirdly, there was a need for an economic and social programme which would help to solve the problems of unemployment, the food supply, agriculture and commerce. In the light of these conclusions the High Commissioner had decided upon the following measures: the replacement of the Council of Directors by a Ministry presided over by a 'Head of the Government'; the formation of an Advisory Assembly, to be composed of representatives of the political, cultural and economic life of the country and of the younger generation, and in which the Druzes and Alawis would also be represented

648 while retaining their special Statutes; the establishment of a
668 Council of State to draft legislation; the participation of the Syrian Government in the organization of the food supply for Syria and Lebanon; and the execution of an important programme of public works. 'The day of fulfilment is at hand and existing difficulties will be resolved by the co-operation of all and not by demonstrations in the streets. The Syrian nation wishes to carry on its work in an orderly and peaceful manner. Order and peace shall be safeguarded.'[1]

645 A few days later a prominent business man and member of a leading Damascene family, Khalid al-Azm, was appointed Prime Minister, with a Ministry most of the members of which, like the Prime Minister himself, had not previously taken a prominent part in the political life of Syria. In its programme the new Government promised to reform the administration, to develop external trade, to pay special attention to the problems of education and youth, to ameliorate the lot of the workers and officials, and to preserve strict non-partisanship in all political matters.

Shortly afterwards a similar change took place in Lebanon. The President of the Republic and the Secretary of State resigned their offices, and were replaced by a politically neutral Ministry headed by Alfred Naccache, a Maronite judge who had hitherto played no important part in politics.

5

648 During these uncertain months the true centre of Syrian
668 political life was Baghdad. It has already been made clear how united is political feeling in the different centres of the Fertile Crescent. The Palestinian Revolt of 1936-1939 had received encouragement and help from the neighbouring Arab countries; and after it subsided the thought persisted that the sorrows of Palestine, and also the sorrows of Syria, could only be ended by a united effort of the whole Arab people. It was also widely believed that in this effort Iraq would have to play the leading part, since it possessed greater freedom of action than most of the other Arab regions, and also the nucleus of a trained army. The sense that the destiny of their nation depended on them exalted the spirits of a certain group among the Iraqi Arabs; and their enthusiasm was further increased by the teaching of the

[1] See Appendix A10.

11: Hourani 8-4 (no date) 1946 MD1 Syria MD1 LEBANON MD1

S 648 sterling bloc. Syria, having now entered the sterling bloc, will in the economic and financial sphere and especially in that of exchange take the necessary measures to follow the general policy of the sterling bloc.

'The preceding stipulations reconcile respect for Syrian independence and sovereignty with the necessities of war. They are inspired by a single thought, that of winning the war and by this means assuring to Syria the future of a free people. They give the Franco-Syrian problem a solution which springs from the desire of Free France not to retard, in spite of the war, the accomplishment of Syrian national aspirations and the fulfilment of the undertakings of the Allies. But it is necessary that a final settlement should be substituted for them as soon as possible, in the form of a Franco-Syrian Treaty which will definitively guarantee the independence of the country.

'Long live independent Syria! Long live England! Long live France!'[1]

S 645 648 At the same time the new President of the Syrian Republic took up his duties. In October Shaikh Taj was able to announce the formation of a Government, at the head of which was Hasan al-Hakim, a well-known financial expert and a former collaborator of Dr. Shahbandar. Among the members of the Ministry were an Alawi and a Druze, but none of the leaders of the Bloc.

The declaration of independence and the formation of a Government aroused no enthusiasm among the population. The nationalists preferred to wait before giving their approval, to see what steps Free France would take to render her undertakings effective. They also objected to the appointment of the President instead of his choice by a freely elected Chamber; and in particular they disapproved of the appointment of Shaikh Taj.

II

L 648 The independence of Lebanon was proclaimed two months later, on November 26th, 1941. General Catroux's proclamation ran as follows:

'Lebanese,

'The proclamation which I addressed to you on June 8th in the name of General de Gaulle, Chief of Free France, and

[1] For the French text, see Appendix A14.

000 Lebanon the Government of Sami as-Sulh succeeded that of
645 Ahmad ad-Da'uq. In Syria, Hasan al-Hakim resigned in April, 1942, and was succeeded by Husni al-Barazi, who himself gave way in January, 1943, to Jamil al-Ulshi. These changes had only a very limited significance.

648 This failure to restore the constitutional Government
186 increased the discontent which had already been caused in both Syria and Lebanon by the way in which their independence had been proclaimed. The administrative methods of the Free French officials were also much criticized; more particularly, a general contempt was felt for the many officials who had served Vichy and had only gone over to Free France after the occupation of the country in 1941. Thus the belief grew up that Syria and Lebanon had gained nothing by their change of masters. It was a belief held not only by the political classes but by ordinary citizens who resented the inefficiency of the French administration; not only by Arab nationalists but even by many of the Lebanese Christians, who could not feel towards the Free French the admiration, gratitude and trust which they had had for France as a great Power. In the circumstances it was natural that Great Britain should be largely blamed for the actions of her ally.

645 One consequence of the discontent was a revival in the
665 power of the National Bloc. The dissensions between its leaders were patched up, and the Bloc united in its demand for the restoration of the Chamber of 1936-1939 or else the holding of fresh elections. Its spokesman was Shukri al-Quwatli, whose reputation had grown steadily throughout the years. In October, 1941, shortly after the Allied occupation, he absented himself from Syria on a visit to Arabia and Iraq; but after his return to Damascus in September, 1942, he became once more the dominant figure of the political scene. Side by side with the revival of the Bloc there went a growth in the size and influence of the Socialist and Communist movements; this was due not so much to the spread of Marxist doctrines as to the universal discontent with the existing order and the eagerness to snatch at any hope of change.

14

722 In Syria and Lebanon alike, the attention of the greater part of the population was concentrated upon the economic problems of the war. Two of them were peculiarly important.

722 been for the large programme of public works undertaken by the Ninth Army; they include the construction of a railway line between Haifa and Tripoli, the building of roads and the execution of schemes of irrigation.

15

648 After long hesitation, the Free French at last decided to
642 restore constitutional government. This step was made easier in Syria by the death of Shaikh Taj in January, 1943. A few days later M. Helleu, who was deputizing for General Catroux, absent in North Africa, announced that the General would authorize the re-establishment of the Constitution on his return to the Levant. In March, 1943, provisional Governments were established in both Syria and Lebanon in order to make the necessary arrangements for the elections; that in Syria was headed by Ata al-Ayyubi, that in Lebanon by Dr. Ayyub Tabit.

666 In Syria the arrangements were soon completed. It was
646 decided that the Chamber should consist of 124 deputies,
665 including a number of representatives of the minorities; and that the elections for it should be held in two stages. The primary elections were held on July 10th-11th, the secondary on July 26th. They resulted in an overwhelming majority for the National Bloc. The victory of the Bloc was more complete in Damascus than in Aleppo, where there was a split in the nationalist ranks.

643 On August 17th, 1943, the new Chamber met and elected
645 Shukri al-Quwatli President of the Republic and Faris al-Khuri President of the Chamber. A few days later a new Ministry took office, drawn almost wholly from the Bloc. It was constituted as follows:

Prime Minister	.. ..	Saadullah al-Jabiri.
Minister for Foreign Affairs		Jamil Mardam Bey.
Minister of the Interior	..	Lutfi al-Haffar.
Minister of Finance	..	Khalid al-Azm.
Minister of Defence and Public Instruction	..	Nasuhi al-Bukhari.
Minister of Public Works and Supplies	.. ..	Mazhar Raslan.
Minister of Justice	..	Abdur-Rahman al-Kayyali.
Minister of Agriculture and Commerce	..	Tawfiq Shamiyyah.

L 648 of November 11th with the exception of that which declared 649 the constitutional amendments null and void.

5

S 648 The acute crisis was now over, but the problem from which it had sprung was still unsolved. When the Lebanese Chamber re-assembled, the Premier asserted his Government's view L 648 that the reforms of November 8th were still in force. Moreover, the Syrian authorities lost no time, once the tension in Lebanon was relaxed, in taking parallel action. At an extraordinary session of the Syrian Chamber on January 24th, 1944, the President of the Republic and the Deputies took an oath of allegiance to a new Constitution which comprised Articles 1-115 of the existing text. The effect of this was to annul Article 116. Earlier, on December 1st, the Syrian Premier had declared that Syria did not recognize the Mandate, and was not willing to conclude a Treaty as a condition of the transfer of powers which properly belonged to her; had demanded the surrender by the French of all the attributes of sovereignty, under those limitations only which were necessitated by the state of war; and had affirmed that the Syrian and Lebanese Governments were in agreement on the administration of the common interests.

The C.F.L.N. left these claims and assertions unchallenged, and announced that General Catroux would again go to Beirut, this time for the purpose of negotiating with the two Governments on the transfer of powers. The negotiations resulted in an agreement, concluded on December 22nd, which provided that the powers previously exercised by French authorities in the name of the Syrian and Lebanese Governments should be transferred to their control. They would take over the services included in the category of Common Interests as from January 1st, and other powers by specific agreements still to be concluded. Thus, by the beginning of 1944, the two States had survived a sharp test of their will to independence and had extended the range of their autonomous administration.

6

S L 645 In the course of the year 1944 there were a number of changes in the political situation in Syria and Lebanon. Some of these changes were of no more than local importance.

Thus, in October the Ministry of Saadullah al-Jabiri in Syria S 645
was replaced by that of Faris al-Khuri, who had previously L 645
been President of the Chamber; the change was made for
internal political reasons, and the new Government was
composed largely of the same Ministers and followed the same
general policy as its predecessor. In April, 1945, the Ministry
was reconstructed. In Lebanon, too, there was a ministerial
change: in January, 1945, the Government of Riyadh as-Sulh
was replaced by that of Abdul-Hamid al-Karami, a Sunni
Moslem deputy from Tripoli.

A change affecting the structure of the Syrian Republic S 631
took place in September, with the incorporation of the province
of Jebel Druze fully in the Syrian State. It had already been
formally incorporated in February, 1942, but had preserved a
special administrative and financial régime which was now
abolished. This step was taken at the request of the Adminis-
trative Council of Jebel Druze. A similar step was not taken
in the Alawi province; although there was a party in favour
of it, the forces of separatism were still strong, and the situation
was complicated by the existence of disorder and unrest
fomented by Sulaiman Murshid and his associates.

Other changes of greater importance, because they affected S 648
more immediately the problem of Franco-Lebanese and L 648
Franco-Syrian relations, were the transfer of power to the
Syrian and Lebanese Governments and the financial agreement
of February, 1944:

(i) In accordance with the agreement made by General Catroux with the two Governments on December 22nd, 1943, a series of particular agreements was negotiated during 1944, and by the end of the year almost all the services in question had been formally handed over, including the Customs Administration, the Financial and Economic Services, the control of the tobacco monopoly and concessionary companies, the Press Censorship, the Beduin control and the 'Sûreté Générale' (although a French 'Sûreté aux Armées' was retained). These transfers gave the two Governments almost all the attributes of independent governments. At the end of 1944 the only important attribute which had not been transferred was the control of the local levies, the 'Troupes Spéciales'.

15: Khadduri 8-4 (no date) 1951 MDI Syria MDI

Syrian nationalists took place in 1936 when the international situation had become critical in consequence of Mussolini's occupation of Ethiopia. Prompted by his threat to the Eastern Mediterranean, and inspired by Britain's successful move in the same year to appease the Egyptian nationalists, France once more offered to negotiate a treaty which would give Syria full independence. There was at this time the more liberal Popular Front Government in Paris, with Leon Blum as Prime Minister and Yvon Delbos as Foreign Minister, both of whom were more sympathetic toward Syria's national aspirations than their predecessors. The resulting treaty of September 9, 1936, negotiated by a Syrian Nationalist delegation in Paris, provided for the replacement of the Mandate by a Treaty of Alliance with France on the basis of full independence. While Lebanon was to remain outside of Syria, the autonomous districts (Jabal Druze and Latakia) were to join a unitary Syrian state. France was to receive certain rights regarding its military position in the Levant (as in the case of Britain in Iraq) and the two countries were to consult each other in all matters of foreign policy affecting their common interests. The Treaty was to last for 25 years and to come into force, as in the case of Iraq, when Syria was admitted to membership in the League of Nations as an independent state. Elections for a new Parliament which was to ratify the Treaty were held in November 1936, and resulted in an overwhelming majority for the Nationalists (Kutla Party). Parliament met on December 21 and elected Hashim al-Atasi, leader of the Kutla, President of the Republic in place of Muhammad Ali al-Abid. Faris al-Khuri, a member of the Kutla, was elected President of the Majlis (Parliament), while Jamil Mardam, another Kutla leader, formed the new Government. All members of the Cabinet were drawn from the Kutla Party. The Treaty with France, regarded as a victory for the Kutla, was approved by Parliament and formally signed by the Government and the High Commissioner on December 22, 1936. But it was never ratified by France owing to criticism leveled against it from military and conservative quarters.[17] In 1938 Jamil Mardam tendered his resignation,

[17] For a discussion of France's failure to ratify the treaty, see Charles-André Julien, "French Difficulties in the Middle East," *Foreign Affairs*, XXIV (1946), pp. 327 ff.

15: Khadduri S-4 (no date) 1951 MDl Syria MDl

which was followed by that of President Hashim al-Atasi, and the French High Commissioner suspended Parliament. Thus the second attempt to come to an understanding with Syria failed.

NATIONAL REGIME: THE SECOND REPUBLIC

The outbreak of World War II brought renewed hopes for independence. Upon France's defeat in 1940 the Syrian Nationalists began to agitate for the immediate formation of a national Government; indeed some of them went so far as to contact secretly the Iraqi nationalists, inviting them to intervene and unite the two countries under the Crown of Iraq. A few urged cooperation with the Axis, but the failure of the Rashid Ali movement in Iraq raised doubts as to the feasibility of achieving Arab national aspirations along this path, and on the whole the moderate elements began to come to the fore.

The joint Anglo-French occupation of Syria and Lebanon in 1941 brought with it a promise of independence. A Provisional Government was appointed, and on September 28, 1941, General Catroux formally proclaimed the independence of Syria. The Constitution, however, was not at once restored, and the Nationalists, led by Shukri al-Quwwatli, revived their activities. They pledged cooperation with the democratic powers, but demanded either the immediate restoration of the Majlis of 1936–39 or the holding of new elections. Finally, in January 1943 M. Helleu, representing General Catroux, French Delegate-General, announced the restoration of the Constitution and initiated arrangements for general elections. These were held on July 26, with the Nationalist Party (al-Kutla) overwhelmingly victorious.

The Majlis met on August 17, 1943, and elected Shukri al-Quwwatli, who had emerged as the unrivaled leader of the Nationalists, President of the Republic, and Faris al-Khuri President of the Majlis. On August 19 the President invited Sa'dullah al-Jabiri to form a new Cabinet, drawn almost wholly from the Kutla, and the Government began immediately afterward to negotiate with the French authorities for the transfer of such controls as the French still exercised.

Syria's struggle against foreign control was thus fully re-

15: Khadduri S-4 (no date) 1951 MDl Syria MDl

ably in deference to the feelings of pious Muslims, that "Islamic Law shall be the main source of legislation." (Article 3.) 642

The new Constitution provides that the President, following the pattern of the Constitution of 1930 before its amendment, is elected by Parliament for a term of five years but is not eligible for re-election until an interval of like duration. The President is given certain exclusive powers, such as the right of suspensory veto, the dissolution of Parliament under certain circumstances, the right of appointing the Prime Minister and the other Ministers upon the recommendation of the Prime Minister, and the right to communicate directly with Parliament by messages addressed to its President. He is also held responsible for violation of the Constitution, for high treason, and for ordinary offenses, but he cannot be tried except by the Supreme Court. For other powers which the President exercises in conjunction with the Prime Minister or Minister concerned he is obviously not held responsible. Among such are the powers of appointment of Government officials and judges, sending and receiving diplomats, ratifying treaties with the approval of Parliament, and declaring war and signing peace treaties with the approval of the Council of Ministers, the High Defense Council, and Parliament. If the President is incapacitated from exercising his power for reasons other than death or resignation, the President of the Parliament temporarily exercises these powers. In case of death or resignation, Parliament must meet within ten days to elect another President.

The Cabinet is composed of the Prime Minister and Ministers, the number and functions of whom are to be defined by a special law. The Ministers may or may not be members of Parliament. The Cabinet prepares a platform on the basis of which the Prime Minister asks for a vote of confidence in Parliament; lack of confidence compels the Cabinet to resign. The Cabinet is jointly responsible to Parliament for its general policy, and each Minister is individually responsible for the work of his Ministry. The Ministers are not permitted directly or indirectly to enter into any business transactions with the Government during their terms of office, and they are held liable for indictment and trial 642 645

642 by the Supreme Court on the accusation of such activity at-
645 tributed to them.

642 Parliament is composed of one Chamber of Deputies (Majlis),
646 elected on the basis of direct universal suffrage (including women) for a term of four years. It convenes from October 1 to December 31 and from March 1 to May 15, and each year elects its President on the basis of absolute majority. The Deputies represent the entire nation and not their own constituencies. As in the case of the Ministers, the Deputies are not permitted to exploit their positions in any business transaction with the Government. Legislation, other than financial bills, may be initiated by Parliament or by the President with the approval of the Cabinet; but financial bills which involve reduction of taxes or expenditures of funds must be proposed either by 20 members of Parliament or by the President with the approval of the Cabinet. Article 59 stipulates that Parliament "shall not cede its legislative powers." This article, it seems, was inserted to ensure that Parliament would not follow the example of the Constituent Assembly in delegating legislative, in addition to executive, powers to the Government and thus pave the way toward the realization of a dictatorial regime. If one-fourth of the members of Parliament object to the constitutionality of a bill before its promulgation, or if the President does so, then it is suspended until the Supreme Court passes a decision regarding its constitutionality. If the Supreme Court decides within 10 days that the bill is unconstitutional, it is returned to Parliament for reconsideration.

648 The judicial system is designed to be free from interference
692 by any other governmental agency. "The honor, conscience, and integrity of the judges are guaranteed for the right and freedom of the people." (Article 105.) The judicial power is exercised by three types of courts: (1) the Supreme Court; (2) the Court of Cassation; (3) ordinary tribunals. The Supreme Court is composed of 7 members to be elected by Parliament from a list of 14 nominees chosen from among highly qualified judges. The members of the Supreme Court are elected for 5 years and are eligible for re-election. They are independent and cannot be discharged except by a decision of the Supreme Court itself.

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Art. 87. The President shall exercise the prerogatives of pardon. 642

Art. 88. (1) When the President of the Republic is unable to discharge the duty of his office, the President of the Chamber of Deputies shall assume that duty provided he yields, during this time, the Presidency of the Chamber to its Vice President. 643

(2) Should the Presidency become vacant through the death or resignation of the President, the Chamber shall be summoned by its President within ten days therefrom for the purpose of electing the new President. Should it not be thus summoned, the Chamber shall meet of its own accord on the eleventh day.

(3) If the Chamber is dissolved at the time the vacancy occurs or two months only are left before its mandate expires, the President of the Chamber shall continue to assume the above-mentioned duties until the new Chamber meets.

Art. 89. The emoluments of the President shall be fixed by a law.

2.

THE CABINET

Art. 90. At the opening of each term of the Legislature, or after the election of a new President of the Republic, or after a vote of non-confidence for the Cabinet, or its resignation, or if the Presidency of the Cabinet becomes vacant for some reasons, the President of the Republic shall appoint a Prime Minister and upon the proposal of the Prime Minister the members of the Cabinet. 642 645

Art. 91. (1) The Cabinet shall submit its programme to the Chamber for a vote of confidence.

(2) A vote of confidence shall be considered granted if approved by a majority of the Deputies present.

Art. 92. (1) The Cabinet shall direct the policy of the State.

(2) The Cabinet shall meet, presided over by the Prime Minister, to consider the following matters:

(a) Bills
(b) Decrees concerning organization
(c) The State budget and the special budgets
(d) Internal and foreign policy
(e) Cases which the Prime Minister, or any Minister, with the approval of the former, submits to the Cabinet for consideration.

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(f) All other questions provided for by law.

(3) The decisions of the Cabinet shall be adopted by a majority of votes. Any opposing minister shall be considered as having approved of the decisions unless he resigns.

Art. 93. The organization of the Presidency of the Cabinet, the Cabinet and the powers of each Minister shall be determined by law.

Art. 94 (1) The Prime Minister shall direct the meetings of the Cabinet which he presides over.

(2) He shall harmonize the works among the various Ministries.

(3) He alone can ask for a vote of confidence for the Cabinet from the Chamber of Deputies.

(4) He may entrust some of his functions to one of the Ministers.

Art. 95. The President of the Republic, with the approval of the Cabinet, shall promulgate decrees necessary for the execution of various laws. These Decrees shall not repeal, exempt from the operation, or amend the provisions of the laws in question.

Art. 96. When the Cabinet resigns, or a motion of non-confidence is passed, the Ministers shall continue to discharge their responsibilities until a new Cabinet is formed.

Art. 97. No Minister while in office may directly or indirectly buy or rent anything which is the property of the State, even at a public auction. He may not participate in contracts for supplies entered into by public departments, or any institution attached to the Government or under its control, nor may he be on the board of any firm, or its agent or lawyer, or take part in any business.

Art. 98. The Ministers shall be jointly responsible to Parliament for the general policy of the Government. They shall be individually responsible in respect to matters arising in their respective departments.

Art. 99. The civil, financial and penal responsibility of the Ministers shall be determined by law.

Art. 100. A Minister shall leave office when indicted and until the Supreme Court shall have rendered its judgment. The Minister's resignation shall not prevent proceedings being taken or continued against him.

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Art. 101. The offices of a Deputy and a Minister may be held simultaneously. 642 645

Art. 102. The emoluments of the Prime Minister and the Ministers shall be fixed by a law.

Art. 103. (1) There shall be established a "Bureau of Inspection" attached to the Presidency of the Cabinet.

(2) This Bureau shall communicate to the Presidency of the Chamber copies of the reports of its inspectors and their conclusions together with its own observations.

(3) The classification of the members of this Bureau, their prerogatives and immunities shall be defined by a law.

CHAPTER V

THE JUDICIAL POWER

Art. 104. The Judiciary is an independent authority. 642

Art. 105. (1) Judges are independent. The only authority above them in the exercise of their power is Law. 692

(2) The honour of the judges and their moral conscience and integrity constitute a guarantee for the rights of the people and their freedoms.

Art. 106. Before assuming office a judge shall swear that he will mete out justice to the people and that he will observe the law.

Art. 107. Judgments shall be rendered in the name of the People of Syria and shall state the grounds on which they were reached.

Art. 108. Judicial powers shall be exercised by:

(1) The Supreme Court

(2) The High Court of Appeal

(3) All other Courts

Art. 109. All judges shall be appointed by a decision of the "Supreme Judiciary Council" and in accordance with the law.

Art. 110. The promotion of judges, their transfer, disciplinary measures to be taken against them and their dismissal shall be governed by a decision of the Supreme Judiciary Council in accordance with the law.

Art. 111. The institution of public prosecutions is a judicial function. It shall be headed by the Minister of Justice.

Art. 112. The public prosecutor shall be the guardian of justice,